

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

HEALTHCARE SERVICES GROUP, INC., §

Plaintiff, §

vs. § CIVIL ACTION NO. 3:14-0001-DHB-BKE

LOWER OCONEE COMMUNITY §

HOSPITAL, INC., §

Defendant. §

DEFENDANT'S CONSOLIDATED AMENDED ANSWER TO COMPLAINT

COMES NOW, Lower Oconee Community Hospital, Inc., with leave of court and within the time allowed, amends its answer by asserting the additional defenses and set-offs as follows:

FIRST DEFENSE

The defendant admits the allegations contained in paragraph 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 of the complaint; denies the allegations contained in paragraph 16 of the complaint; and alleges that it is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 2 and 17 of the complaint.

SECOND DEFENSE

Plaintiff did not fully perform the contract sued upon and is not entitled to recover from defendant the full contract price.

THIRD DEFENSE

Plaintiff breached the terms of the contract sued upon and is not entitled to recover from defendant the full contract price.

FOURTH DEFENSE

Plaintiff overcharged and/or double billed defendant for supplies provided by defendant and used by plaintiff to perform services under the contract. Defendant is entitled to a set-off or deduction with regard thereto.

FIFTH DEFENSE

Plaintiff conspired with agents and employees of defendant to overcharge defendant for the services provided under the contract.

WHEREFORE, having fully answered the defendant prays that the plaintiff's complaint be dismissed with cost.

This 21<sup>st</sup> day of May, 2014.

SMITH AND JENKINS, P.C.  
Attorneys at Law

By: /s/ Wilson R. Smith  
Wilson R. Smith  
Attorney for Defendant  
GA State Bar No. 665025

P. O. Box 529  
Vidalia, GA 30475  
(912) 537-4330

CERTIFICATE OF SERVICE

This is to certify that on this day I have electronically filed a true and correct copy of the within and foregoing **DEFENDANT'S CONSOLIDATED AMENDED ANSWER TO COMPLAINT** which will send notification and service to:

Mr. Edgar M. Smith  
Mr. Kirby Mason  
Hunter Maclean Exley & Dunn P.C.  
200 E. Saint Julian Street  
P.O. Box 9848  
Savannah, GA 31412-0048

Ms. Jodi Daniel Cocke  
Beggs & Lane, RLLP  
501 Commendancia Street  
Pensacola FL 32502

This 21<sup>st</sup> day of May, 2014.

By /S/ Wilson R. Smith  
Wilson R. Smith  
Attorney for Defendant  
GA Bar No. 665025

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